

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Sung-hee HWANG et al.

Application No. 10/821,187

Art Unit: 2627

Confirmation No. 8424

Filed: April 9, 2004

Examiner: Jorge L. Ortiz Criado

For: RECORDING/REPRODUCING METHOD, RECORDING/REPRODUCING APPARATUS, OPTICAL RECORDING MEDIUM, AND COMPUTER READABLE RECORDING MEDIUM HAVING RECORDED THEREON PROGRAM FOR THE RECORDING/REPRODUCING METHOD

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure provisions of 37 CFR 1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the present U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the present application.

1. Enclosures accompanying this Information Disclosure Statement are:

- 1a. ☒ Substitute for Form PTO/SB/08a/b.
- 1b. ☒ Copies of IDS citations, except for U.S. Patents and U.S. Patent Application publications.
- 1c. ☒ An English-language version of a search report or other action issued by a foreign patent office in a counterpart foreign application.
- 1d. ☐ For a reference not in the English language, a complete or partial English translation and/or an English abstract and/or a corresponding U.S. or English-language foreign patent document that was cited or should be construed as having been cited in a communication from a foreign patent office in a counterpart foreign application pursuant to the rationale set forth in MPEP 609.04(b)(V).
- 1e. ☐ Explanations of Relevancy of References (ATTACHMENT 1(e), hereto) for providing a concise explanation of a reference not in the English language.
- 1f. ☐ List of Copending Applications (ATTACHMENT 1(f), hereto).
- 1g. ☐ List of Additional Submitted Documents (ATTACHMENT 1(g), hereto).

2. ☐ This Information Disclosure Statement is filed under 37 CFR 1.97(b):
(Check either Item 2a or 2b or 2c or 2d)
- 2a. ☐ Within three months of the filing date of a national application other than a Continued Prosecution Application under 37 CFR 1.53(d);
- 2b. ☐ Within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application.
- 2c. ☐ Before the mailing of a first Office Action on the merits; or
- 2d. ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under 37 CFR 1.114.
3. ☒ This Information Disclosure Statement is filed under 37 CFR 1.97(c) after the period specified in paragraph 2 above but before the mailing date of any of a Final Office Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311 or an action that otherwise closes prosecution in the application, AND
(Check either Item 3a or 3b; Item 3b to be checked if any reference known for more than 3 months)
- 3a. ☒ The 37 CFR 1.97(e) Statement in Item 5 below is applicable; OR
- 3b. ☐ The \$180.00 fee set forth in 37 CFR 1.17(p) is:
☐ enclosed.
☐ to be charged to Deposit Account No. 50-5113.
4. ☐ This Information Disclosure Statement is filed under 37 CFR 1.97(d) after the period specified in paragraph 3 above, but on or before payment of the Issue Fee, AND
- 4a. ☐ The 37 CFR 1.97(e) Statement in Item 5 below is applicable; AND
- 4b. ☐ The \$180.00 fee set forth in 37 CFR 1.17(p) is:
☐ enclosed.
☐ to be charged to Deposit Account No. 50-5113.
5. ☒ Statement under 37 CFR 1.97(e) (applicable if Item 3a or Item 4a is checked)
(Check either Item 5a or 5b)
- 5a. ☒ In accordance with 37 CFR 1.97(e)(1), it is stated that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- 5b. ☐ In accordance with 37 CFR 1.97(e)(2), it is stated that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known by any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

6. ☐ This is a continuation/divisional/continuation-in-part application under 37 CFR 1.53(b).
(Check appropriate Items 6a and/or 6b)
- 6a. ☐ Copies of the publications listed on the attached Form PTO-1449 or PTO/SB/08a that were previously cited in prior Application No. ___ filed on ___, which is relied on for an earlier effective filing date in the present application under 35 USC 120, have been omitted pursuant to 37 CFR 1.98(d).
- 6b. ☐ Copies of the publications listed on the attached Form PTO-1449 or PTO/SB/08a that were not previously cited in prior Application No. ___ filed on ___, which is relied on for an earlier effective filing date in the present application under 35 USC 120, are enclosed.
7. ☐ This is a continuation/divisional application under 37 CFR 1.53(d) or a Request for Continued Examination under 37 CFR 1.114.
(Check either Item 7a or 7b)
- 7a. ☐ The Issue Fee has not been paid.
- 7b. ☐ A Petition to Withdraw from issue under 37 CFR 1.313(c) is filed concurrently herewith or has been granted. A continuation/divisional application under 37 CFR 1.53(d) or a Request for Continued Examination under 37 CFR 1.114, after payment of the Issue Fee, is proper in accordance with 37 CFR 1.53(d)(1)(iii)(A) or 37 CFR 1.114(a)(1), respectively.
8. ☐ This is a Supplemental Information Disclosure Statement.
(Check either Item 8a or 8b)
- 8a. ☐ This Supplemental Information Disclosure Statement under 37 CFR 1.97(f) supplements the Information Disclosure Statement filed on ___. A bona fide attempt was made to comply with 37 CFR 1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental IDS can be considered as if properly filed on ___.
- 8b. ☐ This Supplemental Information Disclosure Statement is timely filed within one month of the Notice under 37 CFR 1.97 and 1.98 mailed ___.
9. ☐ In accordance with 37 CFR 1.98, a concise explanation of what is presently understood to be the relevance of each reference not in the English language is:
(Check appropriate Items 9a, 9b, 9c and/or 9d)
- 9a. ☐ satisfied because a reference not in the English language was cited in the enclosed English-language version of a search report or other action issued by a foreign patent office in a counterpart foreign application, which indicates the degree of relevance found by the foreign office, as permitted in MPEP 609.04(a)(3).
- 9b. ☐ set forth in the application.
- 9c. ☐ satisfied because for a reference not in the English language, enclosed is a complete or partial English translation and/or an English abstract and/or a

corresponding U.S. or English-language foreign patent document that was cited or should be construed as having been cited in a communication from a foreign patent office in a counterpart foreign application pursuant to the rationale set forth in MPEP 609.04(b)(V).

9d. ☐ enclosed as Attachment 1(e), hereto.

10. No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than a search report or other action issued by a foreign patent office in a counterpart foreign application, if enclosed). See 37 CFR 1.97(g) and (h).

Respectfully submitted,

Date: February 2, 2010

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